

MEMORANDUM

Agenda Item No. 8(H)(2)

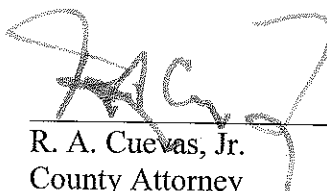
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: October 2, 2012

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution extending the
expiration date of three contracts
awarded to the Parks, Recreation
and Open Spaces Department in
2005 under the Safe
Neighborhood Parks Bond
Program

The accompanying resolution was prepared by the Parks, Recreation and Open Spaces Department and placed on the agenda at the request of Prime Sponsor Commissioner Dennis C. Moss.



R. A. Cuevas, Jr.
County Attorney

RAC/smm

Memorandum



Date: October 2, 2012

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez", written over the "From:" line.

Subject: Resolution Extending Expiration Date of Contracts Awarded Under the Safe
Neighborhood Parks Bond Program

Recommendation

It is recommended that the Board of County Commissioners (Board) adopt the attached resolution retroactively extending the expiration date of three (3) Safe Neighborhood Parks (SNP) grant agreements for three (3) Park, Recreation and Open Spaces Department ("PROS") projects from November 30, 2010 through June 30, 2011. The SNP grant agreements provide that the Office of Management and Budget ("OMB") shall reimburse PROS, with SNP bond proceeds, for expenses incurred and paid by PROS for these 3 projects. Approval of this item will allow for the reimbursement to PROS of the cost of work performed on the three projects between December 1, 2010 and June 30, 2011.

Scope

The scope of this agenda item impacts Commission Districts 9 and 11.

Fiscal Impact/Funding Source

Funding of the \$200 million of SNP bonds was approved as part of a referendum and authorized under County Ordinance No. 96-115. There is no fiscal impact related to approval of this resolution since the SNP funds were already allocated for these projects.

Track Record/Monitor

PROS is the managing department for the three (3) SNP projects. Jorge L. Mora, Chief, Design, Construction and Maintenance, was responsible for implementing the projects and will monitor the reimbursement.

Delegation of Authority

No additional delegation of authority has been sought within the body of this proposed resolution.

Background

On July 16, 1996, the Board of County Commissioners approved Ordinance No. 96-115 which authorized issuance, subject to approval by special election, of \$200 million in general obligation bonds for park projects; established a Citizens' Oversight Committee (COC) and empowered it to administer the bond program; and designated entities and projects eligible for bond funding. At the November 5, 1996 Special Election, 67% of those voting approved the bond program.


On April 5, 2005, the Board approved Resolution No. R-391-05, awarding \$58.53 million in Safe Neighborhood Parks Specified/Per Capita Funds for sixty-eight (68) projects to five (5) public agencies, including the three projects that are the subject of this Resolution. Those three projects were (1) Multiple Family Aquatics Centers, awarded \$1,880,000; (2) West Kendall District Park, awarded \$2,623,500; and (3) Homestead Bayfront Park, awarded \$821,700. These projects were managed by PROS.

On July 8, 2010, the Board approved Resolution No. R-704-10 extending the contract durations of twenty SNP grant agreements until November 30, 2010, including the three projects that are the subject of this Resolution. On November 4, 2010, the Board of County Commissioners approved Ordinance No. 10-79 which amended the project scopes of two of the three projects that are the subject of this Resolution.

Although the SNP grant agreements for the three projects originally expired on November 30, 2010, PROS had not incurred sufficient expenses on the three projects by that date to justify reimbursement of the full amount of SNP funds awarded. As of November 30, 2010, \$1,841,025.81 in unspent funds remained within PROS' three SNP grant agreements. It was not until June 30, 2011 that PROS was finishing expending the remaining \$1,841,025.81 on the three projects and thus it was not until that date that PROS could obtain reimbursement of its project costs with SNP funds. The amounts that were untimely incurred, the reasons for delay and the final completion dates for the three PROS' projects are as follows:

Project Name	Amount Expended Dec-2010 to Jun-2011	Project Description	Reason for Delay	Completion Date
Multiple Family Aquatic Centers	\$614,149.91	Improvements to aquatic facilities, including a new splash playground	The improvement of the three aquatic centers required renovation of facilities constructed in the 1960s, and delays were incurred as work uncovered deteriorated conditions that required redesign and re-permitting. The contractor at Goulds Park abandoned work and the contractor's surety defaulted on the contract.	June 2011 (Sgt. Joseph Delancy pool) June 2012 (Naranja pool) Ongoing (Goulds pool)
West Kendall District Park - Dog Park	\$745,285.47	Development of a 6.5 acre dog park	The project was to be funded by SNP and Impact Fee funds; however, due to lower than anticipated contractor bids, Impact Fee funds were not needed and the entire project was funded by SNP funds. The plan was to spend SNP funds during the first half of construction, then Impact Fee funds in the latter half. This delayed the timeline for expenditure of SNP funds on this project.	April 2011
Homestead Bayfront Park - Bathhouse, Lifeguard, and Concession Building	\$481,590.43	New bathhouse, lifeguard, and concession building; recreational amenities	The contractor encountered subsurface conditions under the building to be demolished that had not been identified during design, including unsuitable soils (muck) and existing underground pilings.	December 2011

Extension of the contracts for the Multiple Family Aquatic Centers, West Kendall District Park Dog Park and Homestead Bayfront Park Bathhouse / Lifeguard / Concession Building, allow for the total reimbursement to PROS of \$1,841,025.81 and closes out all PROS SNP projects. The construction contractors have been paid on the completed projects, and this item will reimburse PROS for those expenses. The extensions are consistent with the guidelines of the SNP program and are in the best interests of the County.



Lisa M. Martinez, Senior Advisor
Office of the Mayor



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: October 2, 2012

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 8(H)(2)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(H)(2)

10-2-12

RESOLUTION NO. _____

RESOLUTION RETROACTIVELY EXTENDING THE
EXPIRATION DATE OF THREE GRANT AGREEMENTS
AWARDED TO THE PARKS, RECREATION AND OPEN
SPACES DEPARTMENT IN 2005 UNDER THE SAFE
NEIGHBORHOOD PARKS BOND PROGRAM

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board retroactively extends the expiration date from November 30, 2010 to June 30, 2011 of three Safe Neighborhood Parks (SNP) Bond Program grant agreements originally awarded to Parks, Recreation and Open Spaces Department (PROS) in 2005, and as thereafter amended, for (1) Multiple Family Aquatic Centers, (2) West Kendall District Dog Park, and (3) Homestead Bayfront Park – Bathhouse, Lifeguard, and Concession Building, in order to allow for the reimbursement of expenses for these projects with SNP Bond Program funds.

The foregoing resolution was offered by Commissioner
who moved its adoption. The motion was seconded by Commissioner
and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Lynda Bell
Esteban L. Bovo, Jr.	Jose "Pepe" Diaz
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

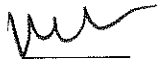
The Chairperson thereupon declared the resolution duly passed and adopted this 2nd day of October, 2012. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Monica Rizo